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Denis BABIN
Appl. No. 10/713,211***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-34 are pending in the application, with 1, 23, and 26 being the independent claims. Claims 17, 23 and 26 are amended. New claims 30-34 are added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Examiner Interview of February 23, 2006

Applicant appreciates the Examiner's courtesy extended to Applicants' representative at the personal interview of February 23, 2006. Applicant confirms the content of the interview to have included a discussion of the claims in view of the cited Guenther reference. In particular, an amendment to claims 23 and 26 was discussed that clarified the location of at least one heater to be entirely on one side of the melt channel.

Objection to the Specification

The Examiner noted the use of the trademark AerMet® in the specification and noted it should be capitalized and accompanied by the generic terminology. Applicant has amended the specification accordingly.

Rejections under 35 U.S.C. § 112, Second Paragraph

The Examiner rejected claim 17 as containing the trademark AerMet®. Applicant has amended the claim to include a generic description of the alloys that are

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known as the AerMet® 100 alloy and the AerMet® 310 alloy. This claim is now in condition for allowance.

Rejections under 35 U.S.C. § 102

The Examiner rejected claims 23, 26 and 28 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Appl. Publ. No. 2003/0124216 A1 to Guenther *et al.* The Examiner stated that Guenther *et al.*, with reference to FIG. 2, discloses an injection nozzle having a conductive insert 30, wherein the insert 30 is more conductive than the nozzle.

Applicant has amended independent claims 23 and 26 to clarify that the heater is within the nozzle body and located entirely on one side of the melt channel. Guenther *et al.* does not disclose such a heater arrangement, as heater 28 of Guenther *et al.* is wrapped around nozzle body 26 to encircle melt channel 38. *See* Guenther *et al.*, FIG. 2. As such claims 23 and 26 are not anticipated by and are patentable over the Guenther *et al.* publication. Claim 28 depends from and adds further features to claim 26 and is patentable for this reason alone. While it is not necessary to address the Examiner's rejection of the dependent claim at this time, Applicant reserves the right to support its patentability, when necessary.

Rejections under 35 U.S.C. § 103(a)

The Examiner rejected claims 24, 25, 27 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Guenther *et al.* The Examiner stated that the nozzle disclosed in Guenther *et al.* is not shaped in an asymmetrical manner or flat in nature but that such a change in shape would be obvious in view of In re Daly et al.

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Claims 24 and 25 depend from and add further features to independent claim 23 and claims 27 and 29 depend from and add further features to independent claim 26 and are patentable for this reason alone. While it is not necessary to address the Examiner's rejection of the dependent claims at this time, Applicant reserves the right to support their patentability, when necessary.

Allowance of Claims 1-16 and 18-22 and New Claims 30-34

Applicant acknowledges the Examiner's indicated allowance of claims 1-16 and 18-22.

New claims 30-32 depend from and add further features to independent claim 23 and are patentable for this reason alone. New claims 33-34 depend from and add further features to independent claim 26 and are patentable for this reason alone. The new claims do not constitute new matter and their allowance is respectfully requested.

Supplemental Information Disclosure Statement

In compliance with the duty of disclosure, Applicant submits herewith a Supplemental Information Disclosure Statement with the appropriate fee under 37 C.F.R. §1.17(p).

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for

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allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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